REMARKS

Claims 29-56 have been withdrawn. Claims 1-28 are in this application.

A telephone conference between the Examiner and Dennis Smid (one of the applicants' undersigned attorneys) was held on October 5, 2004. The applicants and Mr. Smid wish to thank the Examiner for his time and consideration for such conference.

Claims 1-28 were rejected under 35 U.S.C. 102(e) as being anticipated by Yoneya et al. (U.S. Patent No. 6,587,640 B1) as set forth in paragraph #5 of the last Office Action.

Independent claim 1 recites in part as follows:

> "a plurality of record mediums that are random-accessible, in which **each of said plurality of record mediums is operable to store therein at least two different types of data ...**"
> (Underlining and bold added for emphasis.)

In explaining the above 102(e) rejection with regard to claim 1, the Examiner asserts that Yoneya discloses the above features of claim 1 and, in support thereof, appears to rely on RAID parts 10 and 21 of Fig. 1, column 5, lines 36-44, and column 6, lines 21-47 and 54-59.

In response to the above 102 rejection of claim 1, and as discussed during the October 5th telephone conference, the Examiner's attention is directed to lines 22-53 of column 6 of Yoneya wherein the following is recited:

> "The **video RAID part 21** to receive supply of **video signals** and to store those signals performs writing (recording) and reading (reproduction) of **video signals** using hard disks which are a nonlinear accessible recording medium, and it corresponds to the **video data** recording unit in the present invention. As **the configuration of the video RAID part 21 corresponds to that of RAID-3 explained with**

reference to FIGS. 10A and 10B,[1] explanation thereof will not be repeated here.

The **audio RAID part 10** to receive supply of **audio signals** and to store those signals performs writing (recording) and reading (reproduction) of **audio signals** corresponding to each of a plurality of audio channels, **independent of the video RAID part 21, using hard disks which are a nonlinear accessible recording medium and which are different from the hard disks in which video signals are stored**. It corresponds to the audio data recording unit in the present invention. The audio RAID part 10 has a multi-separation part 20 for separating, for each channel, audio signals for writing which are multiplexed and inputted, a plurality of HDDs 1A, 1B, . . . in which audio signals separated by the multi-separation part 20 are recorded and stored, a plurality of selection switch parts (referred to as "SW" in FIG. 1) 101, 102, . . . for selecting audio signals reproduced from the plurality of HDDs 1A, 1B, . . . , and a multiplexer part 5 for multiplexing audio signals selectively outputted from the plurality of selection switch parts 101, 102, ...

The multi-separation part 20 separates and outputs the inputted **audio signals** for each channel. In other words, the multi-separation part 20 separates the **audio signals** from the processor part 30 for each of the HDDs 1A, 1B, . . . to supply the signals to each of the HDDs 1A, 1B, ..."

Accordingly, it is respectfully submitted that in Yoneya the video RAID part 21 is used for <u>video</u> signals and the audio RAID part 21 is used for <u>audio</u> signals. Further, as indicated above, the audio RAID part 10 is operable "independent of the video RAID part 21."

Additionally, and as also indicated above, the audio RAID part 10 uses "hard disks ... **which are different from** the hard disks in which video signals are stored."

Thus, neither the audio RAID part 10 nor the video RAID part 21 of Yoneya appears to be operable to store <u>at least two different types of data</u>, as recited in independent claim 1.

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[1] FIG. 10A "shows the configuration of RAID-3 using four hard disk drives (HDDs) **for video data** and one HDD for parity data." (Lines 61-64 of column 3 of Yoneya.).

Instead, Yoneya discloses an apparatus and method "in which video data and audio data are stored independent of each other in other in different recording media." (See col. 1, lines 13-15 of Yoneya.) This is also seen in Fig. 1 of Yoneya where the audio RAID part 10 is separate from the video RAID part 21. Accordingly, independent claim 1 is believed to be distinguishable from Yoneya as applied by the Examiner.

For reasons similar to or somewhat similar to those described above with regard to independent claim 1, claims 4, 7, 10, 13, 17, 21 and 25 are also believed to be distinguishable from Yoneya as applied by the Examiner.

Claims 2, 3, 5, 6, 8, 9, 11, 12, 14-16, 18-20, 22-24 and 26-28 are dependent from one of independent claims 4, 7, 10, 13, 17, 21 and 25 and, due to such dependency, are also believed to be distinguishable from Yoneya as applied by the Examiner for at least the reasons previously described. Therefore, claims 2, 3, 5, 6, 8, 9, 11, 12, 14-16, 18-20, 22-24 and 26-28 are believed to be distinguishable over Yoneya as applied by the Examiner.

Applicants therefore respectfully request the rejection of claims 1-28 under 35 U.S.C. §102(e) be withdrawn.

In the event that the Examiner disagrees with any of the foregoing comments concerning the disclosures in the cited prior art, it is requested that the Examiner indicate where in the reference, there is the bases for a contrary view.

In view of the foregoing, entry of this amendment and these remarks and withdrawal of the rejection of claims 1-28 and the allowance of this application with claims 1-28 are respectfully requested.

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Respectfully submitted,
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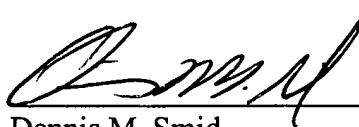
Dennis M. Smid
Reg. No. 34,930
(212) 588-0800